

CONFIDENTIAL

15-658

Chief, Administrative Staff, OSO

7 July 1951

General Counsel

Hiring of Military Personnel

OGC HAS REVIEWED.

1. Your memorandum of 2 July 1951 forwarded the retirement orders on [REDACTED]

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2. In the case of each officer, retirement is based on incapacity for active service on account of disability incident thereto. In view of the wording of the retirement orders, it is our opinion that each individual's disability is equivalent to incapacity incurred in the line of duty and therefore within the exceptions to the law (5 USC 62) which prohibits the appointment of retired officers.

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3. Therefore, [REDACTED] may be appointed to a civilian position within the Agency, but if the retired pay exceeds the rate of \$3,000.00 per year, each will have to elect between the pay of the civilian office and his retired pay.

4. Please let us know if any further questions arise in this connection.

LAWRENCE R. HOUSTON

Attach: Retirement orders

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OGC/LRH:mls

Distribution: Orig - Addressee
2 - Signer

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MISSING PAGE

ORIGINAL DOCUMENT MISSING PAGE(S):

Attachments